

Serial No. 09/833,531

Reply to Office Action of April 21, 2005

- 15 -

REMARKS

In the Office Action of April 21, 2005, Examiner rejected claims 1, 9, 11, 12, 14, 19 and 30 under 35 USC Section 102 as being anticipated by U.S. Patent No. 5,822,535 to Takase. Examiner found claims 2-8, 10, 13, 15-18, 20-29 and 31-34 to be allowable, if rewritten in independent form with all limitations of the base claim and any intervening claims.

In this Response, 31 claims are presented in claims 1, 3-14, 16-18, 20-31, 33 and 34. Claims 2, 15, 19 and 32 are cancelled. Applicant amends the following claims to introduce selected allowable subject matter therein:

- Claim 1 is amended to incorporate all substantive features of claim 2;
- Claim 14 is amended to incorporate all substantive features of claim 15;
- Claim 20 is amended to incorporate all substantive features of claim 19; and
- Claim 30 is amended to incorporate all substantive features of claim 32.

As the substantive features incorporated into claims 1, 14, 20 and 30 relate to allowable subject matter, Applicant submits that claims 1, 14, 20 and 30 are allowable.

The following grammatical and style amendments are also made:

- Dependent claims 3-13, 16-18, 21-29, 31, 33 and 34 are amended to correct antecedents of the initial article in their preamble, namely replacing "A" or "An" with --The--.
- Method claims 1, 3, 4, 5, 7, 8, 9, 10 and 13 are amended to improve clarity by introducing the phrase --steps of-- or --step of-- prior to elements certain elements.

123081-339613
TDO-RED #8277433 v. 1

Serial No. 09/833,531

Reply to Office Action of April 21, 2005

- 16 -

- Claims 4 and 5 are amended to correct grammar that identify their elements by adding the word --and-- between elements.
- Claim 13 is amended to correct grammar by replacing the word "comprising" with --comprises--.
- Claim 16 is amended to associate its elements with the sequencing module and to correct antecedents for its associated elements.
- Claims 21 and 22 are amended to amend the term "ranking" to --said ranking-- in view of amendments made to claim 20.
- Claims 26, 27, 28 and 29 are amended to clarify their elements by changing the phrase "said defining said sequence rank" to --said device defines said sequence by ranking--.
- Claims 33 and 34 are amended to improve their clarity for their identified steps.

Further, as claims 3-13 depend from claim 1, claims 16-18 depend from claim 14, claims 21-29 depend from claim 20 and claims 31, 33 and 34 depend from claim 30, it is submitted that these dependent claims are in condition for allowance as well. Also, while Examiner had rejected claims 9, 11 and 12 in view of Takase, Applicant submits that in view of amendments made to claim 1, claims 9, 11 and 12 comprise patentable subject matter, traversing Examiner's rejections. It is further noted that the Examiner found allowable subject matter specifically in claims 3-8, 10, 13, 16-18, 21-29 and 31, 33 and 34.

Applicant believes that no excess claim fee is payable. However if any claim fee or any other fees are payable, Commissioner is authorized to charge any such fees to agent's deposit account no. 15-0633.

123081-339613
TDO-RED #8277433 v. 1

Serial No. 09/833,531

Reply to Office Action of April 21, 2005

- 17 -

No new subject matter is provided with the present amendments. In view of the present amendments, Applicant submits that the claims as provided herein are in condition for allowance. Applicant earnestly solicits that this application be permitted to proceed to allowance. The Examiner is invited to contact the undersigned by telephone to discuss this case further, if necessary.

Respectfully submitted



July 20, 2005

Date

Robert H. Nakano
(Registration No. 46,498)

McCarthy Tétrault LLP
Box 48, Suite 4700
66 Wellington Street West
Toronto Dominion Bank Tower
Toronto, Ontario M5K 1E6 Canada

Telephone: (416) 601-7852
Facsimile: (416) 868-0673

123081-339613
TDO-RED #8277433 v. 1